IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 235 of 2004 (S/B)

Dr. Kislay Bajpai, S/o Dr. K.C. Bajpai,
R/o Additional Primary Health Centre,
Ghimtoli, District Rudraprayag & another. …….. Petitioners

Versus

State of Uttaranchal through
Secretary, Medical & Health Department,
Civil Secretariat,
Dehradun & others. …….. Respondents

Mr. Vijay Bhatt, learned counsel for the petitioners.
Mr. U.K. Uniyal, learned Addl. Advocate General assisted by Mr. Shobhit Saharia.

Coram: Hon. V. S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

Date: 11th August, 2004

(Per Hon'ble the Chief Justice)

1. Rule returnable forthwith. Heard finally with the consent of the parties.

2. In the initial advertisement issued, the age limit was stated to be between 21 to 35 years. However, when the petitioners went and applied, they were left out of consideration on account of their being less than 35 years.

3. We have seen the advertisement ourselves. It clearly mentions the age limit to be between 21 to 35 years. The petitioners were, therefore, bound to be considered in pursuance of their applications. Mr. U.K. Uniyal, learned Addl. Advocate General very fairly says that if that is the only reason for their being left out of consideration, they would be considered ignoring the rejection of their forms on the ground of age, alone.

4. In that view, the writ petition is disposed of finally on the basis of the statement made by the learned Addl. Advocate General. Rule is made absolute in the aforesaid terms.

(Irshad Hussain, J.)
11.8.2004

(V.S. Sirpurkar , C.J.)
11.08.2004

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